

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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| IN RE LEHMAN BROTHERS SECURITIES | : | |
| AND ERISA LITIGATION | : | |
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| This Document Applies To: | : | |
| <i>In re Lehman Brothers ERISA Litigation,</i> | : | Civil Action 09 MD 2017 (LAK) |
| 08 Civ. 5598 (LAK) | : | |
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**NOTICE OF MOTION OF DIRECTOR DEFENDANTS TO DISMISS
PLAINTIFFS' SECOND CONSOLIDATED AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of the Director Defendants' Motion To Dismiss the Second Consolidated Amended Complaint, the Declaration of Adam J. Wasserman and the exhibits attached thereto, and all of the pleadings and proceedings herein, including *inter alia* the Memorandum of Law filed by Defendants Wendy M. Uvino, Amitabh Arora, Mary Pat Archer, Michael Branca, Evelyne Estey, Adam Feinstein and David Romhilt in support of their Motion to Dismiss the Second Consolidated Amended Complaint (which the Director Defendants incorporate in relevant part), Defendants Michael L. Ainslie, John F. Akers, Roger S. Berlind, Thomas H. Cruikshank, Marsha Johnson Evans, Richard S. Fuld, Jr., Sir Christopher Gent, Jerry A. Grundhofer, Roland A. Hernandez, Henry Kaufman and John D. Macomber (collectively, the "Director Defendants"), by and through their undersigned attorneys, will move this Court before the Honorable Lewis Kaplan, at the United States Courthouse, 500 Pearl Street, Courtroom 12D, New York, New York 10007, at a date and time to be determined by the Court, for an order, pursuant to Rules 8, 9(b) and/or 12(b)(6) of the Federal Rules of Civil Procedure dismissing the Plaintiffs' Second Consolidated

Amended Complaint in its entirety and with prejudice as to the Director Defendants, and for such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the stipulation of the parties and order of the Court, opposition papers, if any, shall be served and filed on or before December 23, 2010, and reply papers, if any, shall be served and filed on or before January 17, 2011.

New York, New York
November 23, 2010

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